

MEETINGS TO DATE 8
NO. OF REGULARS 6
NO. OF SPECIALS 2

LANCASTER, NEW YORK
MARCH 15, 1976

A Regular Meeting of the Town Board of the Town of Lancaster,
Erie County, New York, was held at the Town Hall at Lancaster, New York
on the 15th day of March, 1976 at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
JOHN F. LUME, HIGHWAY SUPERINTENDENT
VICTOR H. OTT, POLICE CHIEF
JOHN M. COSTELLO, ASSESSOR III

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster trees for the 1976 Tree Planting Program of the Town of Lancaster.

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:00 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following Bidder:

1. Schichtel's Nursery
6745 Chestnut Ridge Road
Orchard Park, New York 14127

Councilman Metz, Chairman of the Tree Planting Committee, reported that the quotations received were in line with the prices paid for last year's trees and recommended an award to Schichtel's Nursery for the 1976 contract.

The Town Board, at this time, suspended the necessary rule and adopted a resolution, hereinafter, spread at length in these minutes awarding the 1976 Tree Contract to Schichtel's Nursery.

BID OPENING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster Recreation Department sporting goods and athletic equipment.

ON MOTION BY COUNCILMAN BARNHARDT, AND SECONDED BY COUNCILMAN BERENT AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:15 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

1. Robert Cullen & Associates, Inc.
617 West Seneca Street
Ithaca, NY 14850
2. Al Dekdebrun Sporting Goods Inc.
Northtown Plaza
Buffalo, NY 14226
3. Laux Sporting Goods Inc.
441 Broadway
Buffalo, NY 14204
4. Four Seasons Sports
2300 George Urban Boulevard
Depew, NY 14043
5. Lancaster Sports Center
34 Central Avenue
Lancaster, NY 14086

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to the Recreation Director for examination, tabulation, and recommendation.

BID OPENING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster Recreation Department arts and crafts supplies

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:30 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

1. S & S Arts & Crafts
S & S Leather Co., Inc.
Colchester, Conn. 06415
2. American Handicrafts Co.
Eastern Hills Mall
4545 Transit Road
Buffalo, NY 14221

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to the Recreation Director for examination, tabulation, and recommendation.

PUBLIC HEARING:

NONE

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

| <u>DEPARTMENT</u> | <u>MONTH OR MONTHS OF</u> |
|--------------------|---------------------------|
| Town Clerk | February, 1976 |
| Police Department | February, 1976 |
| Building Inspector | February, 1976 |
| Dog Warden | February, 1976 |

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

| | |
|--|---|
| Environmental Conservation Commission | Meeting - 2/25/76 |
| Planning Board | Meeting #1 - 1/7/76 Meeting #4 - 2/18/76 |

COMMITTEE REPORTS:

Councilman Bolender, for the Highway Committee, requested the Chief of Police to update his survey of the intersection of Genesee Street and Ransom Road with a view toward recommending to the Town Board increased safety precautions, signs and/or signal for this intersection.

Supervisor Keysa reported that he met with Cheektowaga officials relative to their complaint that Cheektowaga is receiving too much drainage waters from Lancaster and areas east of Lancaster. At the request of Mr. Keysa, the Cheektowaga officials were provided with a copy of the Town of Lancaster Drainage and Water Flow Plan.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town
Board held on March 1, 1976, as presented by the Town Clerk, be and hereby
are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

| | |
|----------------------|-----------|
| COUNCILMAN BARNHARDT | VOTED YES |
| COUNCILMAN BERENT | VOTED YES |
| COUNCILMAN BOLENDER | VOTED YES |
| SUPERVISOR KEYSA | VOTED YES |
| COUNCILMAN METZ | VOTED YES |

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The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, the New York State Board of Equalization and Assessment has notified the Town of Lancaster of tentative State Equalization Rates which generally have decreased Town, Village and City Equalization Rates by reason of application of more current market value data, and

WHEREAS, the New York State Board of Equalization and Assessment has notified the Town of Lancaster of a hearing relative to a reduction of tentative equalization rate of assessment for the Town of Lancaster from 18.93% to 17.76%, and

WHEREAS, the Assessor has requested all data upon which the tentative rate has been based from the New York State Board of Equalization and Assessment in order to review same, and

WHEREAS, it is deemed in the public interest that the Town Attorney and Assessor attend a conference with representatives of the State Board of Equalization and Assessment relative to said tentative equalization rate,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney and Assessor hereby are authorized to attend a conference with representatives of the State Board of Equalization and Assessment in Albany, New York, on April 13, 1976, or such other date as may be arranged, with reimbursement for actual and necessary expenses.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|----------------------|-----------|
| COUNCILMAN BARNHARDT | VOTED YES |
| COUNCILMAN BERENT | VOTED YES |
| COUNCILMAN BOLENDER | VOTED YES |
| SUPERVISOR KEYSA | VOTED YES |
| COUNCILMAN METZ | VOTED YES |

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The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, heretofore the Erie County Water Authority entered into an agreement with the Town Board of the Town of Lancaster, acting as Water Commissioners for the Master Water Improvement Area and Water Districts Nos. 2 and 5 and Extensions 1 and 2 to Water District No. 2 for the sale and distribution of water to customers in said Master Water Improvement Area and said districts and extensions in the Town of Lancaster, whereby the Authority agreed to manage and operate said Master Water Improvement Area and said districts and extensions, which by said agreement were leased to the Authority for that purpose, treating each of the customers therein as retail customers and charging to the customers therein for the sale of water the same rates and charges as are imposed on other customers throughout the Authority's territory not under lease-management, and

WHEREAS, said agreement was to expire unless a written notice of intent to renew said agreement for a successive five year period was given to the other party, and

WHEREAS, it is the desire of the Authority to renew said agreement for an additional five year period but with three basic modifications to the terms and conditions that exist under the original agreement, and

WHEREAS, said modifications are:

1. A new paragraph to be added to the end of the agreement which states:

"6.9 The parties herein specifically agree that the Master Water Improvement Area and said districts and extensions shall pay the cost of repainting, as necessary, all water storage tanks owned by the district."

2. When the original contract was executed, the Town was entitled to set the service connection rates charged home owners but was obligated to reimburse the Authority periodically if the costs of the connections exceeded the total connection fees collected. Subsequently, with the consent of all the towns served by the Authority, this policy was changed to allow the Authority to set a uniform connection fee in the County with the understanding that the Authority would absorb any deficiency in the fees collected and

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would not bill the Town for any deficiency. In view of that change, the following should be deleted from page five of the agreement:

Beginning on the thirteenth line with the words ". . . . and in accordance with a resolution . . ." and ending with the words ". . . billed therefor quarterly." on the twenty-fourth line.

3. Article V on page 10 of the agreement is entitled "Effective Date and Term of Agreement". Section 5.2 on that page provides that either party may cancel upon one-year's notice in writing after the agreement shall be in effect for two years. The two-year limitation on cancellation was only intended to apply to the first contract and, therefore, the second paragraph of that section should be amended beginning at the top of page 11 to read:

"It is further agreed that the terms of this agreement may be modified from time to time to such extent as the parties hereto may mutually agree upon in writing. In the event that this agreement is not cancelled as above provided for, the same may be renewed at the option of either party hereto for additional periods of five (5) years, but subject to cancellation at any time within any such five (5) year renewal period by either party upon one year's notification in writing to the other party. Written notice of intention to renew this agreement for successive five (5) year periods shall be given to the other party hereto within sixty (60) days prior to the expiration of any such five (5) year period."

and

WHEREAS, it is the intention of the Authority to make these amendments in all lease management agreements throughout the County as said agreements come up for renewal to maintain the uniformity of the lease management relationship with all water districts and extensions within the Authority's service area, and

WHEREAS, because of the modifications, the Authority is requesting that each respective Town Board, acting as Water Commissioners, forward to the Authority a resolution renewing the respective lease management agreement for the term set forth above and acknowledging the aforementioned three modifications to be effective in the new agreement, and

WHEREAS, it is in the public interest to renew said Lease-Management agreement for said Master Water Improvement Area and Water Districts Nos. 2 and 5 and Extensions 1 and 2 to Water District No. 2 for the five-year term hereinbefore referred to,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, acting as Water Commissioners for the Master Water Improvement Area and Water Districts Nos. 2 and 5 and Extensions 1 and 2 to Water District No. 2, hereby elects to renew said Agreement for an additional five (5) year period, having a renewal date of October 19, 1980, under the terms and conditions as contained in the original Agreement with the modifications as set forth above, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and hereby is directed to forward a certified copy of this resolution to the Erie County Water Authority.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|----------------------|-----------|
| COUNCILMAN BARNHARDT | VOTED YES |
| COUNCILMAN BERENT | VOTED YES |
| COUNCILMAN BOLENDER | VOTED YES |
| SUPERVISOR KEYSA | VOTED YES |
| COUNCILMAN METZ | VOTED YES |

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The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, by letter dated March 1, 1976, Clarence Rainess & Company, Accountants for the Town of Lancaster, at the request of the Supervisor, submitted a proposal to prepare information for financial and other data disclosure in a prospectus to be used in the renewal of \$3.4 million of Bond Anticipation Notes due to mature in April, 1976, and

WHEREAS, prudent management of the fiscal affairs of the Town of Lancaster in the present money market dictates that preparation of such prospectus will secure the best possible Bond Anticipation Note rate,

NOW, THEREFORE, BE IT

RESOLVED, that Clarence Rainess & Company be and hereby is retained in accordance with its proposal of March 1, 1976, a copy of which is on file with the Town Clerk, for the preparation of a prospectus to be used in the renewal of \$3.4 million of Bond Anticipation Notes due to mature in April of 1976.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~clerk~~

The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, a public hearing was held on the 1st day of March, 1976,
for the purpose of amending a portion of the Code of the Town of Lancaster,
County of Erie, State of New York, being Chapter 50 - Zoning, and persons
for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said public hearing was duly published and
posted, and

WHEREAS, the Planning Board of the Town of Lancaster and the
Planning Consultant have recommended the proposed amendment of the Code
of the Town of Lancaster, and

WHEREAS, the Villages of Lancaster and Depew and the Towns of Alden,
Elma, Cheektowaga and Clarence have been given notice of such public hearing,
and

WHEREAS, in accordance with Section 239-m of the General Municipal
Law, the Erie County Department of Planning has reviewed such proposed amend-
ment and has no objection with respect thereto,

NOW, THEREFORE, BE IT

RESOLVED, that Chapter 50, Zoning, of the Code of the Town of
Lancaster, County of Erie, State of New York, is hereby amended by making
the following change thereto:

"Section 50-18. Required Yards, is hereby amended
by deleting therefrom:

A. Front Yard: Forty (40) feet

and by substituting therefor:

A. Front Yard: Thirty-five (35) feet

and

BE IT FURTHER

RESOLVED, as follows:

1. That said Amendment be added in the minutes of the meeting
of the Town Board of the Town of Lancaster held on the 15th day of March,
1976.

2. That a certified copy thereof be published in the Lancaster Enterprise-Journal on March 18, 1976.

3. That a certified copy of the Notice of Adoption of this Amendment be posted on the Town Bulletin Board.

4. That affidavits of publication and posting be filed with the Town Clerk.

5. That a certified copy of the Notice of Adoption of this Amendment be furnished to the Erie County Department of Planning, the Villages of Lancaster and Depew and the Towns of Alden, Elma, Cheektowaga and Clarence.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon ^{duly}unanimously adopted.

March 15, 1976

LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

CHAPTER 50, ZONING, of the Code of the Town of Lancaster, County of Erie, State of New York, is hereby amended by making a change thereto as follows:

"Section 50-18. Required Yards, is hereby amended by deleting therefrom:

A. Front Yard: Forty (40) feet

and by substituting therefor:

A. Front Yard: Thirty-five (35) feet

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

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WHEREAS, the Town of Lancaster and surrounding communities in Western New York suffered a public emergency in the disastrous and unprecedented fall of trees and tree limbs caused by the ice storm of March 2nd and 3rd, affecting life, health, safety and property of the residents, in particular of the Parkdale-Glendale Subdivision of the Town of Lancaster, and

WHEREAS, due to such emergency, the Highway Superintendent was required to make an emergency contract with Walt's Tree Service, Cemetery Road, Lancaster, New York, for the removal of tree limbs and the trimming of broken branches in the Parkdale-Glendale Subdivision on March 4, 1976, at a lump sum contract price of \$4500.00, and

WHEREAS, the emergency was of such dire consequences that said award of contract was required in order to safe-guard life and property and could not await public bidding,

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with Paragraph 4 of Section 103 of the General Municipal Law, the Town Board of the Town of Lancaster hereby confirms the action of the Highway Superintendent in the award of an emergency contract to Walt's Tree Service, Cemetery Road, Lancaster, New York, for the removal of tree limbs and the trimming of broken branches in the Parkdale-Glendale Subdivision on Thursday, March 4, 1976, at a lump sum contract price of \$4500.00, and

BE IT FURTHER

RESOLVED, that the Highway Superintendent and personnel of his Department, the Police Department, the Volunteer Fire Departments of the Town of Lancaster, the Civil Defense Department and all other Departments and volunteer personnel who aided in the recent emergency be and hereby are commended and extended the heartfelt thanks of the Town Board of the Town of Lancaster on behalf of the residents of this community.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Town of Lancaster and Board of Cooperative Educational Services of the First Supervisory District of Erie County, New York (BOCES) are owners of adjoining parcels of real property located along the south side of Peppermint Road in the Town of Lancaster, New York, and

WHEREAS, there has been uncertainty about the location of the common boundary line between their adjoining properties and BOCES has caused its properties to be surveyed by Bissell, Merrill & Associates who made a certified survey dated September 29, 1976 (Job No. 32134), and the Town of Lancaster has caused its properties to be surveyed by Paul L. Ryan, Licensed Land Surveyor, who has made a certified survey dated February 20, 1976 (Job No. 708463), and

WHEREAS, both parties agree to accept a common boundary line established by said surveys,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby accepts the boundary line of the BOCES property, described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being parts of Lots Nos. 8 and 10, Section 2, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point on the center line of Peppermint Road at the northeasterly corner of lands now or formerly of Fred Martzloff, said point being a record distance of 895.62 feet and a measured distance of 900.53 feet from the northwest corner of said Lot No. 10; thence southerly along the east line of lands now or formerly of Fred Martzloff, being at an interior angle of 88 degrees, 7 minutes, with the centerline of Peppermint Road 452.86 feet to a point; thence easterly at an interior angle of 91 degrees, 53 minutes, 188.61 feet to a point; thence southeasterly at an exterior angle of 127 degrees, 942.49 feet to a point; thence northeasterly at an interior angle of 90 degrees, 555 feet to a point; thence northwesterly at an interior angle of 90 degrees, 1091.00 feet to the centerline of Peppermint Road; thence westerly along the centerline of Peppermint Road 557.36 feet to the point of beginning,

as the true common boundary between the respective parcels of BOCES and the Town of Lancaster, and the Town Board hereby authorizes and directs the

Supervisor to sign the Boundary Line Agreement as approved by the Town Attorney and such further instruments, including but not limited to, instruments required by the United States Government, as may reasonably be required to give effect to this resolution, and

BE IT FURTHER

RESOLVED, that the concurrence of the Secretary of the Interior be obtained to this Agreement in accordance with the Quit Claim Deed dated February 28, 1973, recorded in the Erie County Clerk's Office, in Liber 8020 at Page 589.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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|----------------------|-----------|
| COUNCILMAN BARNHARDT | VOTED YES |
| COUNCILMAN BERENT | VOTED YES |
| COUNCILMAN BOLENDER | VOTED YES |
| SUPERVISOR KEYSA | VOTED YES |
| COUNCILMAN METZ | VOTED YES |

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The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, by the Town Board of the Town of Lancaster, that
Robert P. Thill, Town Clerk, be and hereby is authorized to dispose of
record item numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 42, 43, 45, 46, 47, 58,
59, 60, 61, 62, 63, 65, 66, 67, 68, 69, 71, 73, 79, 81, 82, 83, 84, 85,
86, 87, 88, 89, 90, 91, 96, 97, 103, 104, 110, 114, 118, 119, 120, 121,
124, 125, 126, 127, 128, 129, 130, 131, 138, 139, 140, 141, 144, 145,
146, 148, 149, 150, 152, 153, 154, 160, 165, 166, 168, 173, 175, 176,
177, 178, 179, 191, 193, 194, 195, 196, 197, 198, 203, 208, 209, 210,
211, 212, 213, 214, 215, 216, 217, 220, 222, 224, 227, 229, 237, 238,
240, 241, 242, 244, 256, 257, 260, 273, 288, 289, 301, 306, 307, 308,
309, 310, 311, 312, 313, 314, 316, 317, 318, 319, 320, 321, 323, 324,
325, 326, 327, 329, 333, 336, 337, 338, 339, 344, 345, 348, 349, 350,
356, 359, 362, 364, 365, 374, 375, 376, 385, 386, 390, 391, 392, 393,
394, 395, 396, 397, 398, 399, 400, 404, 409, 412, 413, 418, 446, 449,
450, 451, 452, 453, 454, 455, 456, 457, 458 on Records Disposition
Request List No. 272-TC-14 pursuant to the provisions of Section 65-b
of the Public Officers Law of the State of New York, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward
a certified copy of this resolution to the Commissioner of Education.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

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|----------------------|-----------|
| COUNCILMAN BARNHARDT | VOTED YES |
| COUNCILMAN BERENT | VOTED YES |
| COUNCILMAN BOLENDER | VOTED YES |
| SUPERVISOR KEYSA | VOTED YES |
| COUNCILMAN METZ | VOTED YES |

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The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, Sister Antoinette Flury, Part-time Narcotic Guidance
Counselor with the Town of Lancaster Narcotic Guidance Council, was granted
a leave of absence without pay, effective March 10, 1975, and

WHEREAS, Mrs. Diane Kraemer was appointed by resolution of the Town
Board of the Town of Lancaster to fill the vacancy created by the leave of
absence of said Sister Flury, and

WHEREAS, the Narcotic Guidance Council has now advised that Sister
Antoinette Flury will not return to said position, and

WHEREAS, the Chairman of the Narcotic Guidance Council, by letter
of March 12, 1976, has recommended that Mrs. Diane Kraemer be appointed to
the permanent part-time position of Narcotic Guidance Counselor with the
Narcotic Guidance Council of the Town of Lancaster, effective March 10, 1976,

NOW, THEREFORE, BE IT

RESOLVED, that the appointment of Mrs. Diane Kraemer to the position
of part-time Narcotic Guidance Counselor for the Town of Lancaster Narcotic
Guidance Council, effective March 10, 1976, be and hereby is confirmed, at
the salary as set forth in the Schedule of Salaries for said position.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

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|----------------------|-------|-----|
| COUNCILMAN BARNHARDT | VOTED | YES |
| COUNCILMAN BERENT | VOTED | YES |
| COUNCILMAN BOLENDER | VOTED | YES |
| SUPERVISOR KEYSA | VOTED | YES |
| COUNCILMAN METZ | VOTED | YES |

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The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster and the Board of Managers of Erie County Sewer District No. 4, with the assistance of the Department of Environmental Quality, have intensively studied and reviewed the need for extension of the boundaries of Erie County Sewer District No. 4 eastward along the Walden Avenue and Broadway corridor and along Town Line Road and construction of facilities therein in the easterly portion of the Town of Lancaster and the westerly portion of the Town of Alden to abate pollution and to afford direly needed sewer facilities, and

WHEREAS, such extension of the boundaries of Erie County Sewer District No. 4 in the Town of Lancaster and the Town of Alden is in keeping with the regional plan adopted by Erie County, and

WHEREAS, the proposed extension of the boundaries of Erie County Sewer District No. 4 along the Walden Avenue corridor and the Broadway-Town Line Road corridor as heretofore developed by the Erie County Department of Environmental Quality meets the approval of the Town Board of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that County Executive Edward Regan, the Erie County Legislature and the Town Board of the Town of Alden be and hereby are memorialized to request that immediate steps be taken by the County Executive and the County Legislature, through the Department of Environmental Quality to determine exact boundaries for the extension of the District boundaries of Erie County Sewer District No. 4 along the Walden Avenue corridor and Broadway-Town Line Road corridor in the Towns of Lancaster and Alden, and that the Town Board of the Town of Alden determine and advise the County Executive and the County Legislature of its determination with regard to the extension of such boundaries within the Town of Alden, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward a certified copy of this resolution to the County Executive, Clerk of the County Legislature, Town

Board of the Town of Alden, H. Dale Bossert as Commissioner of the Erie County Department of Environmental Quality and to the Chairman of the County Legislature Committee on Environmental Control.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by
letter dated March 8, 1976, has recommended the upgrading of a Highway Depart-
ment employee, and

WHEREAS, the Highway Committee of the Town Board concurs in such
recommendation,

NOW, THEREFORE, BE IT

RESOLVED, that Martin Brzyski be and hereby is upgraded to Laborer,
1st Grade, effective March 16, 1976, at a salary as set forth in the Schedule
of Salaries for said position.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

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|----------------------|-----------|
| COUNCILMAN BARNHARDT | VOTED YES |
| COUNCILMAN BERENT | VOTED YES |
| COUNCILMAN BOLENDER | VOTED YES |
| SUPERVISOR KEYSA | VOTED YES |
| COUNCILMAN METZ | VOTED YES |

The resolution was thereupon ^{asky}unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Town of Lancaster has entered into a Cooperation Agreement with the County of Erie pursuant to the Housing and Community Development Act of 1974, whereby Erie County is assisting various Cities, Towns and Villages of the County to gain a maximum share of funds available under said Housing and Community Development Act, and

WHEREAS, the Town of Lancaster is informed that those municipalities which are signators to said Agreement for Community Development Funds have been allocated \$348,568.00 of Housing and Community Development Funds in excess of those originally estimated for 1976 and that the Town of Lancaster's share of such excess funds is \$6049.00, and

WHEREAS, one of the primary purposes of granting such funds is to participate in the rehabilitation of sub-standard housing within the various communities, and

WHEREAS, a greater impact on the rehabilitation of existing sub-standard housing could be made if such additional funds were used in a program of insuring mortgages to be granted by lending institutions to qualified low-income families to upgrade and improve sub-standard housing and that such program of mortgage insurance would have a greater impact than direct grants for such purpose,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby memorializes William J. Donohue, Director, Community Development Program, and County Executive Edward V. Regan to undertake and organize, through the Erie County Division of Planning, Community Development Program, a program wherein the County of Erie will serve as agent on behalf of those municipalities who have entered into the Cooperation Agreement with the County of Erie pursuant to the Housing and Community Development Act of 1974, to use the additional allocated funds of \$348,568.00 for the year 1976, as a fund for the insuring or guaranteeing of mortgages by qualified lending institutions

to qualified low-income families to upgrade and improve existing sub-standard housing in the various communities who are signators to said Cooperation Agreement, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to William J. Donohue, Director, Community Development Program, and to County Executive Edward V. Regan.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Chief of Police has requested certain amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, designated Chapter 46 of the Code of the Town of Lancaster, and

WHEREAS, the Police Committee of the Town Board and the Town Board deem it in the public interest that said Ordinance be amended as requested and as set forth in the Legal Notice made a part hereof,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, County of Erie, State of New York, designated Chapter 46 of the Code of the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of April, 1976, at 8:00 o'clock P.M., Eastern Standard Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper of the Town, and be posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 15th day of March, 1976, the said Town Board will hold a Public Hearing on the 5th day of April, 1976, at 8:00 o'clock P.M., Eastern Standard Time, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the Town of Lancaster:

The following Article shall be added to said Chapter 46, Vehicle and Traffic Ordinance of the Town of Lancaster: •

ARTICLE XIX - Miscellaneous and Auxiliary Warning.

Section 46.27 - Dead End Roadways Designated.

The following termini are designated as Dead Ends and signs shall be erected to designate same in accordance with the provisions as set forth in the New York State Manual of Traffic Control Devices:

- A. Southerly terminus of Pauline Court
- B. Southerly terminus of Ellie Court

Section 46.28 - No-Outlet Roadways Designated.

The following highways are designated as having no outlet and No Outlet signs shall be erected in accordance with the provisions as set forth in the New York State Manual of Traffic Control Devices:

| <u>Street</u> | <u>Direction</u> | <u>Entrance Street</u> | <u>Sign Location</u> |
|-----------------|------------------|------------------------|------------------------------|
| Evergreen Drive | East-West | Townline Road | Southwest & Northwest Corner |

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

March 15, 1976

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | |
|--------------------------------|----------------------------|
| COUNCILMAN BARNHARDT VOTED YES | SUPERVISOR KEYSA VOTED YES |
| COUNCILMAN BERENT VOTED YES | COUNCILMAN METZ VOTED YES |
| COUNCILMAN BOLENDER VOTED YES | |

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN BOLENDER , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
 ordered paid from their respective accounts:

| <u>ACCOUNT</u> | <u>ORDER NUMBER</u> | <u>TOTAL AMOUNT</u> |
|-------------------------|------------------------|---------------------|
| General Funds | No. 3329 to 3397 Incl. | \$ 33,868.63 |
| Special District Funds | No. 94 to 116 Incl. | \$ 9,862.47 |
| Part Town Funds | No. 281 to 288 Incl. | \$ 84,209.13 |
| Highway Funds | No. 777 to 788 Incl. | \$ 85,161.52 |
| Trust & Agency Funds | No. 104 to 108 Incl. | \$ 1,601.47 |
| Federal Revenue Sharing | No. 175 to 181 Incl. | \$ 71,815.38 |
| Capital Fund | No. 205 to 206 Incl. | \$ 60,708.70 |

The question of the adoption of the foregoing resolution was
 duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
 COUNCILMAN BERENT VOTED YES
 COUNCILMAN BOLENDER VOTED YES
 SUPERVISOR KEYSA VOTED YES
 COUNCILMAN METZ VOTED YES

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 The resolution was thereupon unanimously adopted.

March 15, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be
and are hereby approved and the issuance of Building Permits be and are
hereby authorized:

| <u>No.</u> | <u>Name</u> | <u>Address</u> | <u>Structure</u> |
|------------|-----------------------|------------------|---|
| 11 | Warwick Lumber Co. | 114 Seneca Place | ER. FR. PVT. GARAGE |
| 12 | Mary Ellen Mildenberg | 351 Broezel | ER. ABOVE GROUND POOL |
| 13 | David Mingle | 140 Wendell | ER. GARAGE, DEMOLISH EXISTING GARAGE |
| 14 | Tom DiMatteo | 15 Haskell St. | ER. FR. SIN. DWLG. PVT. GARAGE |
| 15 | Earl Blair | 6522 Broadway | ER. STEEL WAREHOUSE |

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

March 15, 1976

Councilman Metz requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously duly advertised for bids for furnishing to the Town of Lancaster the necessary trees for the 1976 Tree Planting Program in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on March 15, 1976, and

WHEREAS, Schichtel's Nursery, Orchard Park, New York, has submitted the following bids for furnishing to the Town of Lancaster the necessary trees for the 1976 Tree Planting Program:

| <u>Specification Item</u> | <u>Species</u> | <u>Price Per Tree</u> |
|---------------------------|----------------------------------|-----------------------|
| 1 | Columnar Norway Maple | \$ 13.45 |
| 2 | Littleleaf Linden | \$ 13.95 |
| 3 | Crimson King Maple | \$ 13.95 |
| 4 | Kwanzan Flowering Cherry | \$ 11.00 |
| 5 | Shademaster Locust | \$ 13.95 |
| 6 | European Hornbeam | \$ 17.45 |
| 7 | Hedge Maple | \$ 13.45 |
| 8 | Japanese Tree-Lilac | \$ 14.45 |
| 9 | Red Oak | \$ 13.45 |
| 10 | Full Double-Flowering Crab Apple | \$ 10.45 |
| 11 | Snowdrift or Spring Snow | \$ 10.45 |
| 12 | Washington Hawthorn | \$ 13.45 |
| 13 | Bradford Callery Pear | \$ 13.45 |
| 14 | Radiant Crab | \$ 10.45 |
| 15 | Japanese Flowering Crab | \$ 10.45 |
| 16 | Emerald Queen Norway | \$ 13.45 |

NOW, THEREFORE, BE IT

RESOLVED, that the low bid of Schichtel's Nursery, Orchard Park, New York, as set forth above, said bid being the lowest responsible bid

In conformance with the specifications relating thereto, be and hereby is accepted, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to place orders with Schichtel's Nursery for those trees which the Town of Lancaster needs for its 1976 Tree Planting Program.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | | |
|----------------------|-------|-----|
| COUNCILMAN BARNHARDT | VOTED | YES |
| COUNCILMAN BERENT | VOTED | YES |
| COUNCILMAN BOLENDER | VOTED | YES |
| SUPERVISOR KEYSA | VOTED | YES |
| COUNCILMAN METZ | VOTED | YES |

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The resolution was thereupon unanimously adopted.

March 15, 1976

STATUS REPORT ON UNFINISHED BUSINESS:1. Walden Pond Park - Federal Assistance Application

On January 30, 1976, Congressman Kemp wrote the State Park Commission and requested a favorable review and prompt approval of the Town's Walden Pond Park Application.

2. Town Line Speed Reduction

On September 8, 1975 the New York State Dept. of Transportation acknowledged receipt of the Town Board's resolution in this matter and indicated that upon receipt of a similar request from the Town of Alden, they would initiate a traffic engineering investigation on this highway.

3. Rezone Petition, Angelo and Fanny Arcadi

On January 19, 1976, the petition was presented to the Town Board and referred to the Planning Board for report and recommendation.

4. Proposed 35 Foot Front Yard Requirements for R-1 District.

On March 15, 1976, the Town Board adopted a resolution authorizing this Zoning Change Amendment. The Town Clerk was directed to remove this item from the future agendas of the Town Board.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mrs. Edith Fuldauer, 12 Clark Street, Lancaster, New York, suggested to the Town Board that the swamp area behind the Court Street School be filled in.

COMMUNICATIONS:DISPOSITION

110. Town Clerk to Town Board -
Resume of actions taken in response
to directions and resolutions of the
Town Board Meeting of 3/1/76.
111. Copy of the February, 1976 Report of the
Town Clerk to the Town Board.
112. Board of Managers, Erie County Sewer
District No. 4 to County Executive -
Recommendation that action be taken
ordering Alden to participate in
Sewer District No. 4.
113. Copy of the Minutes of the Planning Board
Meetings of 1/7/76 and 2/18/76.
114. Copy of the February, 1976 Report of the
Building Inspector to the Town Board.
115. Copy of the February, 1976 Report of the
Dog Warden to the Town Board.
116. Copy of the February, 1976 Report of the
Police Chief to the Town Board.
117. Highway Superintendent to Town Board -
Recommendation of lowest bidders for
highway materials award.
118. Town Attorney to Erie County Water Authority -
Transmittal of copies of agreement in
reference to sale of water lines.
119. Highway Superintendent to Town Board -
Notification of contract awarded for
emergency cleanup of debris resulting
from March ice storm.
120. Highway Superintendent to Town Board -
Request for upgrading of employment of
Mr. Martin Brzyski.
121. Library Board to Town Board -
Request for "Library Parking Only" signs
for parking lot.
122. Mrs. Dorothy Andersen to Town Police -
Expression of thanks for services
rendered.
123. Copy of Depew Village Board resolution
protesting withdrawal of Alden from Erie
County Sewer District No. 4.
124. Assemblyman Frey to Town Clerk -
Notification of receipt of Donovan
Plan resolution.
125. Supervisor to Town Board -
Notification of investment of \$200,000.
at M & T with dollar earnings of \$972.30.

R & F

R & F

R & F

Engineers

R & F

R & F

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R & F

COMMUNICATIONS CONT'D

126. Secretary, State Board of Equalization & Assessment to Town Attorney -
Notification of meeting to discuss tentative equalization rate.
127. Town Clerk to Town Board -
Request disposition of records.
128. General Manager, Western Area, New York State Electric and Gas Corp. to Supervisor.
Expression of appreciation for services rendered during March ice storm.
129. Copy of the Minutes of the Environmental Conservation Commission Meeting of 2/25/76.
130. Chairman, Narcotics Guidance Council to Town Board -
Recommendation that Mrs. Diane Kraemer be accepted as a permanent part-time counselor.

R & F

R & F

R & F

R & F

R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BOLENDER, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:10 P.M. out of respect to:

Mrs. Fullex

Signed

Robert P. Thill
Robert P. Thill, Town Clerk